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10/696,505	10/30/2003	Yasuo Takebe	61352-046	5764

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MCDERMOTT, WILL & EMERY  
600 13th Street, N.W.  
Washington, DC 20005-3096

EXAMINER	
ALEJANDRO, RAYMOND	

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

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Mailed : **APR 14 2010**

In re Application of  
Takebe et al.

Serial No. 10/696,505

Filed: October 30, 2003

For: METHOD OF OPERATING FUEL CELL SYSTEM AND  
FUEL CELL SYSTEM

:  
:  
: DECISION ON  
: PETITION  
:

This is a decision on Appellants' Petition under 37 CFR 1.181 to request that the Notice of Non-Compliant Appeal Brief dated March 1, 2010 be withdrawn. The Examiner considered the Brief filed on January 6, 2010 to be defective because the Brief does not contain a concise explanation of each independent claim which refers to the specification by page and line number.

The Appeal Brief filed on January 6, 2010 is considered compliant.

**DECISION**

The petition is **GRANTED**.

The Examiner is directed to allow the application to proceed in the appeal process and to have the Notice of Non-Compliance withdrawn.

/JACQUELINE STONE/

Jacqueline M. Stone, Director  
Technology Center 1700  
Chemical and Materials Engineering

Michael E. Fogarty  
MCDERMOTT, WILL & EMERY  
600 13th Street, N.W.  
Washington DC 20005-3096